

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           8:06CR268  
                                )  
vs.                         )                           ORDER  
                                )  
CHRISTOPHER K. DANCER, )  
                                )  
Defendant.                 )

This matter is before the court on the motion for an extension of time by defendant Christopher K. Dancer (Dancer) (Filing No. 13). Dancer seeks an extension of time in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 8). Defense counsel represents to the court that counsel for the government has no objection to the extension. Dancer has submitted an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act . Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Defendant Dancer's motion for an extension of time (Filing No. 13) is granted. Defendant Dancer is given until **on or before October 20, 2006**, in which to file pretrial motions pursuant to the progression order (Filing No. 8). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **September 22, 2006 and October 20, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. The evidentiary hearing tentatively scheduled for 9:00 a.m. on October 2, 2006, is **canceled** and will be rescheduled, if necessary, following the filing of any pretrial motions in accordance with this order.

DATED this 22nd day of September, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge